



OK TO ENTER -- /Mark L. Shevin/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 8459**  
Morten SYSLAK et al. : Attorney Docket No. 2005\_1455A  
Serial No. 10/549,673 : Group Art Unit 1793  
Filed December 1, 2005 : Examiner Mark L. Shevin

A METHOD FOR PRODUCING  
ALUMINUM ALLOY SHEET MATERIAL  
AND AN ALUMINUM ALLOY SHEET

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THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
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**RESPONSE AFTER FINAL REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37.CFR.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP** 1700

Sir:

Responsive to the Office Action of January 13, 2009, Applicants submit the following remarks in support of the patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims. Further and favorable reconsideration is respectfully requested in view of these remarks.

Thus, the rejection of claims 1-2, 6 and 20 under 35 U.S.C. §103(a) as being unpatentable over US 6,238,497 (US '497) in view of US 6,261,706 (Fukuda) is respectfully traversed.

The Examiner has still not disputed the fact that the feature of claim 1 relating to the "material microstructure exhibiting primary particles having average size below 1 micrometer<sup>2</sup>" is new, as none of the cited references define a method of producing aluminium alloy sheet material with such microstructure.